

Cooper, Helen (USAOR)

From: Cooper, Helen (USAOR)
Sent: Friday, December 15, 2017 10:35 AM
To: 'Mark Ahlemeyer'; Bruce, Gavin (USAOR)
Cc: Susan Moffatt
Subject: RE: US v. Cobat - pre-ssi vs TANF issue

Thanks, Mark. I will follow up with Oregon DHS to confirm the source of the \$2,845 loss amount we believe to be TANF or TANF-related benefits.

To clarify a few things though – for count 3, the government needed only to prove a \$1,000 loss. From our conversation yesterday I understand that you have identified at least \$1,000 in TANF benefits for that time period.

If part of the \$2,845 loss amount we believed to all be TANF turns out to be some other benefit Ms. Cobat was not entitled to receive, the government will pursue restitution for those benefits as part of count 1, which encompasses the fraud scheme against both SSA and DHS beginning in March 2005.

We'll get back to you soon with additional clarification from DHS.

Helen

From: Mark Ahlemeyer [mailto:Mark_Ahlemeyer@fd.org]
Sent: Thursday, December 14, 2017 5:28 PM
To: Cooper, Helen (USAOR) <HCooper@usa.doj.gov>; Bruce, Gavin (USAOR) <gbruce@usa.doj.gov>
Cc: Susan Moffatt <Susan_Moffatt@fd.org>
Subject: US v. Cobat - pre-ssi vs TANF issue

Helen and Gavin,

Thank you for speaking with me earlier today about Ms. Cobat's case. As I mentioned, I am very concerned that Ms. Cobat was convicted of receiving TANF benefits that she did not actually receive. I now have her EBT (Oregon Trail Card) deposit records, which, as relevant to the TANF count, show the following deposit history (I am not including the Food Stamp deposits - coded "FSAUTH" in the records; I also include some relevant TRACS info identified by Bates number):

7/26/11: \$432 benefit issued (coded as ADCBASCM) [per DHS website, this code refers to Aid To Dependent Children, which appears to be traditional TANF to me]

8/11/11: [Disc 1520] DHS places Cobat in SFP program (see attachment below about SFP, which is State Family Pre-SSI)

8/16/11: [Disc 1521] DHS finds Cobat eligible for "pre ssi program" effective 9/1/11; first benefit would be \$517; then would "revert to the tanf amount of \$432"

8/27/11: \$517 benefit issued (coded as TANFSFP2)

9/28/11: \$432 benefit issued (coded as TANFSFP2)

10/27/11: \$432 benefit issued (coded as TANFSFP2)

11/26/11: \$339 benefit issued (coded as TANFSFP2)

12/9/11: [Disc 1532] DHS calculates that Cobat's TANF payment should be \$145

12/28/11: \$145 benefit issued (coded as ADCBASCM)

2/25/12: \$145 benefit issued (coded as ADCBASCM)

3/28/12: \$145 benefit issued (coded as ADCBASCM)

4/4/12: ALJ denies Cobat's disability claim

4/16/12: [Disc 1539] Cobat leaves message with DHS saying she didn't know she was still in the SFP program, thought

just TANF; DHS returns call and says "you are still in SFP" but agency will need proof of appeal to keep her in program
4/26/12: \$145 benefit issued (coded as ADCBASCM)
5/22/12: [Disc 1541] Cobat tells DHS Bryce visits with his dad every other weekend; new TANF calculated as \$133
5/26, 6/27, 7/27, 8/29/12: \$133 benefit issued on each of these days (all coded as ADCBASCM)
9/2012 - COUNT 3 - start date in indictment
9/10/12: [Disc 1546] DHS states "SSI: Spoke to Jamie about proof of appeal from atty, she said she turned one in which I do not have so she will bring another to the office"
9/26/12: \$133 benefit issued (coded as ADCBASCM) [this is the last benefit coded this way]
10/4/12: \$206 benefit issued (coded as TANFSFP2)
10/27, 11/28, 12/27/12; 1/29, 2/26, 3/26, 4/26/13: \$339 benefit issued on each of these 7 days (all coded TANFSFP2)

That ends the indictment time period, and I see no further deposits on either the ADC or the SFP codes. I have attached a PDF of the above timeline for ease of reading below, and an excerpt of the EBT records so you can see how the deposits are coded. As I read the bank records, only one deposit in the relevant timeframe was actually coded as a TANF (ie, ADCBASCM) deposit - \$133 on 9/26/12. The remaining deposits were under the pre-ssi code (ie, TANFSFP2), or, at best for the government, a combination of TANF and pre-ssi. If the latter is the case, the TANF loss amount appears to me to be less than half of what the Indictment charged.

Please advise whether you disagree with my analysis or have a different understanding of the coding based on your inquiries with the case agent and/or DHS.

Thank you,
Mark

(See attached file: Pre-SSI guidelines.pdf)(See attached file: Timeline of deposits.pdf)(See attached file: Excerpt EBT Records.pdf)

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